

ADJUTANT AND INSPECTOR GENERAL'S OFFICE,
Richmond, Nov. 24, 1863.

GENERAL ORDERS, }
No. 152.

I. A Court of Enquiry having been convened at Jackson, Mississippi, by Special Orders, No. 41, from this office, dated February 18, 1863, amended by Special Orders, No. 43, of February 20, 1863, to examine and report the facts and circumstances attending the capture of the city of New Orleans by the enemy in April 1862, and the defence of the city by the confederate troops under command of Major General *Mansfield Lovell*, together with their opinion thereon: and the Court having discharged the duty assigned them, their opinion is published for the benefit of all whom it may concern.

II. *Opinion of the Court.*

The Court having maturely considered the evidence adduced, submit the following

OPINION:

1. As against a land attack by any force the enemy could probably bring, the interior line of fortifications, as adopted and completed by Major General Lovell, was a sufficient defence of the city of New Orleans; but his ability to hold that line against such an attack was greatly impaired by the withdrawal from him, by superior authority, of nearly all his effective troops.

2. The exterior line, as adopted and improved by him, was well devised, and rendered as strong as the means of his command allowed.

3. Until the iron clad gun boats Louisiana and Mississippi should be ready for service, it was indispensably necessary to obstruct the navigation of the Mississippi river between Forts Jackson and St. Philip. The raft completed under General Lovell's direction was adequate for the purpose while in position; but it was swept away, and left the river unimpeded, either by reason of some error in its construction, or neglect in preventing the accumulation of drift, or because of insuperable mechanical difficulties, as to which this Court feels unprepared to give an opinion. General Lovell communicated to the government no opinion as to the insecurity of the raft, nor any apprehension that it might be swept away, nor did he immediately make known that fact when it occurred. In this it is considered that he was remiss in his duty.

4. When the raft was swept away, Gen. Lovell with great energy immediately endeavored to replace it, and partially succeeded; but without fault on his part, this last obstruction was broken by the carelessness of vessels of the "river defence fleet" colliding with it, and by fire rafts drifting against it, and by the failure of the guard boats to protect it against night expeditions of the enemy.

5. The non-completion of the iron clad gun boats Louisiana and Mississippi made it impossible for the navy to co-operate efficiently with Gen. Lovell.

6. The so-called river defence fleet was wholly useless as a means of resistance to the enemy, for which Gen. Lovell was in no wise responsible.

7. Under the existing circumstances, the passage of the forts by the enemy's fleet could not have been prevented by Gen. Lovell with any means under his control; and the forts being passed, the fall of New Orleans was inevitable, and its evacuation a military necessity.

8. When the first raft was broken, and the danger of New Orleans thus became imminent, all necessary preparation should have been made for removing the public property and private property available for military uses; and when the second obstruction was swept away, the removal of such property should have been commenced immediately. The failure to take these timely steps caused the losses of property that occurred; but there was comparatively but little property lost for which Gen. Lovell was responsible.

9. The failure of Gen. Lovell to give proper orders to Brig. Gen. M. L. Smith for the retirement of his command from Chalmette, is not sufficiently explained, and is therefore regarded as a serious error.

10. The proposition of Gen. Lovell to return to New Orleans with his command was not demanded by his duty as a soldier, involving as it did the useless sacrifice of himself and his troops, though it explains itself upon the ground of sympathy for the population and a natural sensitiveness to their reproaches.

11. Gen. Lovell displayed great energy and an untiring industry in performing his duties. His conduct was marked by all the coolness and self-possession due to the circumstances and his position; and he evinced a high capacity for command, and the clearest foresight in many of his measures for the defence of New Orleans.

The Court respectfully report that its assembly was delayed by the failure of its President to receive his orders in due time, and that its session was protracted by the taking of testimony under the order of the War Department, as to the conduct of naval officers on duty in Department

No. 1. This order was rescinded, thus rendering useless and irrelevant much of the labor of the Court. The testimony referred to, although appearing on record, was not considered by the Court in determining its findings and opinion.

III. The Court of Enquiry in the foregoing case is hereby dissolved.

By order.

S. COOPER,
Adjutant and Inspector General.